

**Elgin Energy Company**  
**Gualala, CA 95445**

07 July 2009

Lori Okun, Senior Staff Counsel  
State Water Resources Control Board, Office of Chief Counsel  
1001 I Street  
Sacramento, CA 95814

**RE: Request for Designated Interested Persons Status**

Dear Ms. Okun,

The Elgin Energy Company respectfully requests that Designated Interested Persons status be officially assigned to it, namely, the Elgin Energy Company.

Elgin Energy Company (EEC) has been granted exclusive rights to develop the potential sources of energy associated with that same parcel on and in which sets the Elgin Mine that is subject to the California Regional Water Quality Control Board-Central Valley Region's (CVRWQCB) Cleanup and Abatement Order (CAO) for mercury.

In view of the fact that EEC is separate and apart from the Discharger, Jose Lucientes, et al., EEC seeks the appropriate status so as to participate in the process and to assure that complete compliance with the CAO is achieved with specific regard to those responsibilities incumbent upon the Elgin Mine. Full compliance with the CAO

The EEC is not responsible for the existing mercury levels by any means or in any manner as a result of the mercury mining operations the have occurred at the Elgin Mine.

Even so, EEC, as a designated interested person, will advocate for compliance with the ultimate CAO requirements so as to pursue development of these energy sources without any encumbrances that may be posed by non-compliance with the CAO. EEC believes that achieving full compliance with the CAO for Elgin Mine as recognized by the CVRWQCB will allow the exploration of the potential energy sources without impedance related directly or indirectly with the CAO.

EEC will comply with the hearing procedures as they apply to such designation when the procedures are finalized for implementation.

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EEC thanks you, in advance, for your considered evaluation of this request for Designated Interested Persons status.

Please contact me if you have any comments and/or questions.

Respectfully,

Ronald E. Suess

Ronald E. Suess  
Authorized Representative  
for  
Elgin Energy Company  
707.541.0976

Cc: Jeffrey Huggins  
CVRWQCB

Kevin McAnallan  
Elgin Energy Company